



**FARMERS
BRANCH**

ORDINANCE NUMBER 3076

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ADD TWO 12-INCH AND ONE 24-INCH MICROWAVE ANTENNA DISHES TO AN EXISTING 12-PANEL CELLULAR COMMUNICATIONS ANTENNA SYSTEM ON THE CITY OF FARMERS BRANCH JUSTICE CENTER WATER TOWER LOCATED ON APPROXIMATELY 6.01 ACRES AT 3725 VALLEY VIEW LANE, GENERALLY LOCATED ON THE NORTH SIDE OF VALLEY VIEW LANE AND EAST OF MARSH LANE WITHIN THE ONE FAMILY RESIDENCE DISTRICT-2 (R-2) ZONING DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance of the City of Farmers Branch, be and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to grant a Specific Use Permit for adding two 12-inch and one 24-inch microwave antenna dishes to an existing 12-panel cellular communications antenna system on the City of Farmers Branch Justice Center water tower located on approximately 6.01 acres at 3725 Valley View Lane within

a Single Family Residential 2 (R-2) zoning district, on property described as: Being a land situated in the Samuel P. Brown Survey, Abstract Number 164 in the City of Farmers Branch, Dallas County, Texas and being a 6.01 acre tract of land described in a deed to the City of Farmers Branch recorded in Volume 66823, Page 758 of the Deed Records of Dallas County, Texas (DRDCT) and further described in Exhibit "A"; and more commonly known as 3725 Valley View Lane, Farmers Branch, Texas ("the Property").

SECTION 2. That the Property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a specific use permit including an associated site plan for a cellular communications antenna system to be constructed and an existing equipment building situated and located in accordance with the lease area attached hereto as Exhibit "B" and the approved site plan attached hereto as Exhibit "C".

SECTION 3. That in addition to the requirements of Section 2, above, the Property shall also conform in operation, location and construction to the following special conditions:

1. The antennas shall be painted to match the color of the water tower.
2. Clear Wireless, LLC/Sprint/Nextel or subsequent owner of the antenna system and equipment shelter shall remove the wireless communications antennas, associated equipment shelter, and all appurtenances within ninety (90) days subsequent to such time that the antennas and equipment shelter become obsolete and the use is abandoned.
3. Clear Wireless, LLC/Sprint/Nextel or authorized contractors shall make arrangements with the City of Farmers Branch Public Works Department before obtaining access to the Justice Center Water Tower or associated equipment shelters on City of Farmers Branch Property for any installation, repairs or testing of antennas, equipment or other appurtenances associated with the facility.

SECTION 4. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

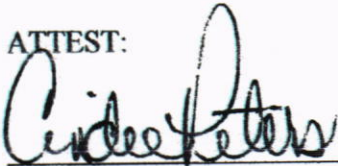
SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. This ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

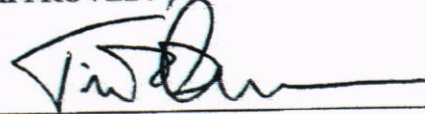
**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS, THE 2nd DAY OF MARCH, 2010.**

ATTEST:



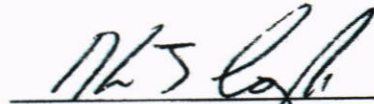
Cindee Peters, City Secretary

APPROVED: /



Tim O'Hare, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney

Exhibit "A"

Legal Description: Parent Tract

County of Dallas, State of Texas, all that certain

tract or parcel of land situated in Dallas County, Texas, and being situated in the SAMUEL P. BROWN SURVEY, ABSTRACT NO. 164 in the City of Farmers Branch, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the South line of Valley View Lane (a 60 foot R.O.W.), that is North 89 deg. 49 min. 10 sec. East, 181.90 feet from the intersection of said South line of Valley View Lane as extended with the East line of Marsh Lane (a 60 foot R.O.W.) as extended;

THENCE North 89 deg. 49 min. 10 sec. East, along said South line of Valley View Lane, 936.63 feet to its intersection with the proposed North line of the Future Realignment of Valley View Lane (a proposed 100 foot R.O.W.);

THENCE along said proposed North line of the Future Realignment of Valley View Lane as follows:

South 61 deg. 07 min. 40 sec. West, 524.45 feet to the beginning of a curve to the right, having a central angle of 28 deg. 51 min. 55 sec. and a radius of 660.0 feet;

In a Westerly direction and around said curve, 332.50 feet to the end of said curve;

South 89 deg. 59 min. 35 sec. West, 340.61 feet to a point in said East line of Marsh Lane;

THENCE North 0 deg. 00 min. 25 sec. West along said East line of

Marsh Lane, 149.89 feet to the beginning of a curve to the right having a central angle of 89 deg. 49 min. 35 sec. and a radius of 182.45 feet;

THENCE in a Northeasterly direction and around said curve of the street intersection right-of-way line, 286.04 feet to the point of beginning and containing 6.01 acres of land.

823 0758

Exhibit "A"

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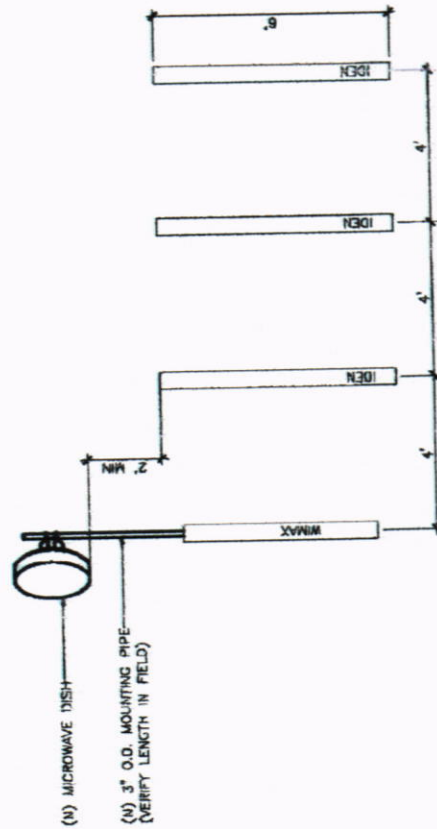
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[illegible]

MICROWAVE SPEEDS & AZIMUTHS			
	MODEL	DIA.	POLAR
NW DISH 1	ANDREWS VHL P1-2.3	12"	HORIZONTAL
NW DISH 2	ANDREWS VHL P2-2.3	24"	HORIZONTAL
NW DISH 3	ANDREWS VHL P1-2.8	12"	HORIZONTAL

Exhibit "C" SITE PLAN

[illegible]



TYPICAL ALL SECTORS

MICROWAVE DISH FRONT VIEW ①

1. THE FINAL CD'S SHOW THE BOTTOM EDGE OF THE MICROWAVE DISK(S) TO HAVE AT LEAST 2' VERTICAL SEPARATION ABOVE THE EXISTING 6" SPRINT ANTENNAS AND AT LEAST 3' VERTICAL SEPARATION ABOVE EXISTING 4" SPRINT ANTENNAS, AND ARE NOT MOUNTED ON THE SPRINT ANTENNA POLE MOUNTS.
2. AT LEAST 4' HORIZONTAL SEPARATION IS MAINTAINED BETWEEN EXISTING SPRINT ANTENNA ON THE SAME SECTOR, AND 2' HORIZONTAL SEPARATION FROM ANY OTHER ANTENNA.
3. SPRINT RF ENGINEERING RECEIVES BEFORE AND AFTER CONSTRUCTION PHOTOS SHOWING THE PLACEMENT OF THE INSTALLED WMAX / MICROWAVE ANTENNAS RELATIVE TO THE EXISTING SPRINT ANTENNAS.
4. THE INSTALLED WMAX/MICROWAVE ANTENNAS DO NOT INTERFERE WITH THE PROPAGATION PATTERN OF THE EXISTING SPRINT ANTENNAS

[illegible]

Exhibit "C"
SITE PLAN

NOTE: VERIFY RF DATA PRIOR TO CONSTRUCTION

RF DATA TABLE

TRANSMIT OR RECEIVE	EXISTING ANTENNAS			MW DSH 1	MW DSH 2	MW DSH 3
	RED	BLUE	YELLOW			
MANUFACTURE	TX/RX	TX/RX	TX/RX			
MODEL #	PLAN	KW	KW	ANDREW	ANDREW	ANDREW
HB-X-WH-17-85-00T	60deg X-pol 2wp FX-DTMA KUM			VHLP1-23	VHLP2-23	VHLP1-28
# OF LINE PER ANTENNA	2	2	2	1	1	1
ANTENNA AZIMUTH	30°	150°	270°	354.5108	201.8515	54.3195
ANTENNA CENTERLINE	83°	83°	83°	87°	87°	87°
MECHANICAL DOWNHILL	-	-	-	-	-	-
ELECTRICAL DOWNHILL	-	-	-	-	-	-
MOUNT TYPE (PLATFORM, PIPE, ETC)	EXISTING PIPE MOUNT			(N) 3" O.D. PIPE MOUNT FOR (E) ANTENNA AND (N) DSH		
LINE TYPE	CONVUL CABLE			CONVULSCOPE FXL-540 CONVULSCOPE FXL-540 BELDEN 7819		
LINE DIAMETER	1-5/8"	1-5/8"	1-5/8"	1/2"	1/2"	24 AWG
				12"	24"	12"
				23	23	28
				DUG	DUG	CONTACT

1. ALL ANTENNAS FURNISHED WITH DOWNHILL BRACKETS, CONTRACTOR TO COORDINATE REQUIRED MECHANICAL DOWNHILL FOR EACH ANTENNA WITH RF ENGINEER.
2. ANTENNA CENTERLINE HEIGHT IS IN REFERENCE TO ELEVATION 0'-0" ANTENNA HEIGHT ARE SHOWN ON TOWER ELEVATION DETAIL.
3. CONTRACTOR SHALL VERIFY ANTENNA TYPE, CABLE TYPE, AND AZIMUTH WITH RF ENGINEER AND /OR CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION.
4. LOCAL MAGNETIC DECLINATION FACTOR, PER THE NATIONAL GEOPHYSICAL DATA CENTER, IS -4.

DSH CLEARANCES:
-IF DSH IS ABOVE WMAX ANTENNA IT NEEDS TO BE 2' TIP TO TIP
-IF DSH IS ABOVE 4' CONA OR IDEN ANTENNA IT NEEDS TO BE 3' TIP TO TIP
-IF DSH IS ABOVE 6' CONA OR IDEN ANTENNA IT NEEDS TO BE 2' TIP TO TIP
PIPE MAST:
-IF PIPE MAST SUPPORTS ONE ANTENNA OR DSH, PIPE MAST CAN BE TYP. 3"
-IF PIPE MAST SUPPORTS ANTENNA AND DSH, IT WILL NEED TO BE A 3" PIPE MAST

clear
CLEARANCE SERVICES
1000 COLUMBIA AVENUE
FARMERS BRANCH, TX 75444

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